IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT AT ROANOKE, VA FILED

OCT 2 4 2006

JOHN F. CONCORAN, CLERK BY: DEPLTY OF THE

PETER O. ODIGHIZUWA, Plaintiff,) Civil Action No. 7:06CV00185
v.) <u>FINAL ORDER</u>
WARDEN TRACY RAY, <u>et al.</u> , Defendants.) By: Hon. Glen E. Conrad) United States District Judge

In accordance with the accompanying Memorandum Opinion, it is now

ORDERED

as follows:

- 1. The defendants' motion for summary judgment shall be and hereby is **GRANTED**;
- The defendants' motion to stay shall be and hereby is **DENIED** as moot;
- 3. The plaintiff's motion for reconsideration shall be and hereby is **DENIED** as moot; and
- 4. This action shall be and hereby is **STRICKEN** from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the plaintiff and counsel of record for the defendants.

ENTER: This 24th day of October, 2006.

United States District Judge

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